

CALIFORNIA PENAL CODE

Sections 4000-4070, 4002-4006, and 4070-4076

Section 4000. This division may be cited as the Health Care Decisions Law.

Section 4001. Unless the provisions or context otherwise requires, the definitions in this chapter govern the construction of this division.

Section 4002. "Advance health care directive" or "advance directive" means either an individual health care instruction or a power of attorney for health care.

Section 4003. (a) "Agent" means an individual designated in a power of attorney for health care to make a health care decision for the principal, regardless of whether the person is known as an agent or attorney-in-fact, or by some other term.

(b) "Agent" includes a successor or alternate agent.

Section 4004. "Capacity" means a person's ability to understand the nature and consequences of a decision and to make and communicate a decision. And includes, in the case of proposed health care, the ability to understand its significant benefits, risks, and alternatives.

Section 4005. "Community care facility" means a "community care facility" as defined in Section 15002 of the Health and Safety Code.

Section 4006. "Conservator" means a court-appointed conservator having authority to make a health care decision for a patient.

Section 4007. "Health care" means any care, treatment, service, or procedure to maintain, diagnose, or otherwise affect a patient's physical or mental condition.

Section 4008. "Health care decision" means a decision made by a patient or the patient's agent, conservator, or surrogate regarding the patient's health care, including the following:

- (a) Selection and discharge of health care providers and institutions;
- (b) Approval or disapproval of diagnostic tests, surgical procedures, and programs of medication;
- (c) Decisions to provide, withhold, or withdraw artificial nutrition and hydration and all other forms of health care, including cardiopulmonary resuscitation;

Section 4009. "Health care institution" means an institution, facility, or agency licensed, certified, or otherwise authorized or permitted by law to provide health care in the ordinary course of business.

California Probate Code 2001

Kathleen Armour



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